

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

RONALD G. ST. CLAIR,

PLAINTIFF,

v.

CIVIL ACTION NO. 3:13-cv-23342

REBA'S BUSINESS, INC., a corporation;
STARSTRUCK ENTERTAINMENT, INC.,
a corporation; **ANSCHUTZ COMPANY**,
a corporation; **ANSCHUTZ ENTERTAINMENT**
GROUP, INC., d/b/a **AEG LIVE**, a corporation;
AEG LIVE LLC, a limited liability company;
THE MESSINA GROUP, L.P., a limited partnership;
and **JOHN DOE**, an individual,

DEFENDANTS.

COMPLAINT

The plaintiff, for his Complaint, respectfully alleges and says to the Court as follows:

1. That at all times mentioned herein, the defendant, Reba's Business, Inc., was a corporation actually doing business in Huntington, Cabell County, West Virginia.
2. That at all times mentioned herein, the defendant, Startstruck Entertainment, Inc., was a corporation actually doing business in Huntington, Cabell County, West Virginia.
3. That at all times mentioned herein, the defendant, Anschutz Company, was a corporation actually doing business in Huntington, Cabell County, West Virginia.
4. That at all times mentioned herein, the defendant, Anschutz Entertainment Group, Inc., d/b/a AEG Live, was a corporation actually doing business in Huntington, Cabell County, West Virginia.
5. That at all times mentioned herein, the defendant, AEG Live LLC, a subsidiary of Anschutz Company, was a limited liability company actually doing business in Huntington, Cabell County, West Virginia.

6. That at all times mentioned herein, the defendant, The Messina Group, L.P., was a limited partnership actually doing business in Huntington, Cabell County, West Virginia.

7. That at all times mentioned herein, the defendant, John Doe, an unidentified employee of Defendant Reba's Business, Inc.; Defendant Starstruck Entertainment, Inc., Defendant Anschutz Company; Defendant Anschutz Entertainment Group, Inc., d/b/a AEG Live; Defendant AEG Live LLC and/or The Messina Group, L.P., and was, upon information and belief, a non-resident of the State of West Virginia, but was performing work for his employer in Huntington, Cabell County, West Virginia.

8. That at all times mentioned herein, the plaintiff, Ronald G. St. Clair, was a resident of Cabell County, West Virginia, and employed by SMG Facility Management Corporation of Huntington, a/k/a Big Sandy Superstore Arena, in Cabell County, West Virginia, to perform labor services in preparation for the Reba McEntire concert to be held at the arena on or about October 15, 2011. This work included assisting one or more of the defendants in construction of the stage and associated lighting and curtain operations.

9. That on or about the 15th day of October 2011, Plaintiff Ronald G. St. Clair, while performing his work as described above, as a direct and proximate result of the reckless, willful, wanton and negligent conduct of Defendant Reba's Business, Inc., and/or Defendant Startstruck Entertainment, Inc., and/or Defendant Anschutz Company, and/or Defendant Anschutz Entertainment Group, Inc., d/b/a AEG Live, Defendant AEG Live LLC, and/or The Messina Group, L.P., by and through its agent, servant and/or employee known presently only as "John Doe," was severely injured when a large ceiling light fixture attached to the Big Sandy Superstore Arena was entangled by a lighting truss being installed above the stage area by Defendant John Doe, in the course of his employment for one or more of the defendants. As the lighting truss was being placed by Defendant John Doe using a mechanical lifting device, he dislodged the light fixture from the ceiling, causing it to fall approximately thirty-two feet, striking Plaintiff Ronald G. St. Clair about the head, neck and right shoulder, before coming to rest on the floor of the arena.

10. That as a further consequence of the negligence of the defendants as hereinabove described, jointly and severally, the Plaintiff Ronald G. St. Clair has sustained:

- (a) Pain and suffering, past and future;
- (b) Medical expenses, past and future;
- (c) Loss of income, past and future;
- (d) Impairment of earning capacity;
- (e) Loss of enjoyment of life.

11. Jurisdiction is proper in this matter since, upon information and belief, there is complete diversity of citizenship between the plaintiff and each of the defendants, and the amount in controversy exceeds Seventy-five Thousand Dollars (\$75,000.00).

WHEREFORE, the plaintiff, Ronald G. St. Clair, demands judgment for compensatory and punitive damages against the defendants, jointly and severally, in such amounts that will adequately compensate him for the injuries and damages he has suffered, for his court costs and attorney fees expended in the prosecution of this action, and such other and further relief as this Court may deem necessary to grant.

PLAINTIFF DEMANDS A TRIAL BY JURY.

RONALD G. ST. CLAIR
By Counsel

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